

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 91-01 C7 Total Pages 128

First Named Inventor or Application Identifier

ESTES et al.

Title Sleep Apnea Treatment Apparatus

Express Mail Label No. EV 196251685 US

222 P. U. S. PTO  
10/623043

07/18/03

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**

Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)

2. ☒ Specification [Total Pages 69]  
(preferred arrangement set forth below)  
-Descriptive Title of the Invention  
-Cross References to Related Applications  
-Statement Regarding Fed sponsored R & D  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure

3. ☒ Drawing(s) (35 U.S.C. § 113) [Total Sheets 17]

4. ☒ Oath or Declaration [Total Pages 4]  
a. ☐ Newly executed (original or copy)  
b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Boxes 19 and 20 c completed)  
[Note Box 5 below]  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).  
c. ☐ Unsigned

5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from  
which a copy of the oath or declaration is supplied  
under Box 4b, is considered as being part of the  
disclosure of the accompanying application and is  
hereby incorporated by reference therein.

6. ☒ Application Data Sheet per 37 C.F.R. § 1.76  
[Total Pages 2]

7. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 U.S.C. § 119(e)/120/365(c)  
based on the following provisional, nonprovisional, and/or PCT international applications.

	Application No.	Filing Date
(1)	09/393,003	September 9, 1999
(2)	08/677,320	June 2, 1996
(3)	08/110,372	August 23, 1993
(4)	07/768,269	November 1, 1991

8. ☒ Prior application is assigned to Respironics, Inc. by Assignment  
recorded August 23, 1993 Reel 6691 Frame(s) 0675.

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))  
(Please return recorded assignment to the undersigned)
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment (to be entered before calculating fees)
14. ☒ Return Receipt Postcard  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Certificate of Mailing by Express Mail
17. ☐ Non-publication Request and Cert. under 35 U.S.C.  
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).
18. ☒ Other: Submission of Formal Drawings

19. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/393,003

Prior application Information: Examiner: Lewis, A. Group/ArtUnit: 3761

20. Please amend the specification by inserting before the first line the sentence: This is a ☐ Continuation ☐ Divisional  
☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_

**21. CORRESPONDENCE ADDRESS**

Customer No. and Bar Code Label.



30031

PATENT TRADEMARK OFFICE

Name	Michael W. Haas	Reg. No.	35,174
Signature	<i>Michael W. Haas</i>	Date	Jul 18, 2003

# FEE TRANSMITTAL

(Effective 01/01/2003)

Application Number Not Yet Assigned

Filing Date July 18, 2003

First Named Inventor ESTES et al.

Confirmation Number Unknown

Group Art Unit Unknown

Examiner's Name Unknown

Attorney Docket No. 91-01 C7

"Express Mail" Label No. EV 196251685 US

TOTAL AMOUNT OF PAYMENT \$ 750.00

## METHOD OF PAYMENT

1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number  
Deposit Account Name

50-0558

Respironics, Inc.

☒

Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17, 1.19 and 1.20

☐

Charge the Issue Fee set forth in 37 C.F.R. § 1.18

2. ☒ Payment Enclosed:

Check (Check No. 1151)

## FEE CALCULATION (fees effective 10/01/00)

### 1. FILING FEE

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) \$ 750.00

### 2. CLAIMS

Total Claims	Extra Claims	Fee from Below	Fee Paid
7	- 20 *	0 x 18 =	0.00
1	- 3 *	0 x 84 =	0.00
Multiple Dependent Claims add 280 =			0.00

\* Enter Highest Number Previous Paid For

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim
1204 84	2204 42	Reissue independent claims over original patent
1205 18	2205 9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or or cover sheet	
1811	100	1811	100	Certificate of Correction	
1812	2,520	1812	2,520	For filing a request for reexamination	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for response within first month	
1252	410	2252	205	Extension for response within second month	
1253	930	2253	465	Extension for response within third month	
1254	1,450	2254	725	Extension for response within fourth month	
1255	1,970	2255	985	Extension for response within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive unavoidably abandoned application	
1453	1,300	2453	650	Petition to revive unintentionally abandoned application	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1814	110	2814	55	Statutory Disclaimer	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of property)	
1809	750	2809	375	Filing a submission after final rejection (37 C.F.R. § 1.129(a))	
1801	750	2801	375	Request for Continued Examination	

Other Fee (specify) \_\_\_\_\_

SUBTOTAL (3) \$ 0.00

## SUBMITTED BY

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	July 18, 2003
		Deposit Account Number	50-0558

## Certificate of Mailing by "Express Mail"

EV 196251685 US

"Express Mail" label number

July 18, 2003

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

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Alexandria, VA 22313-1450.



\_\_\_\_\_  
Signature of person mailing correspondence

Michael W. Haas

\_\_\_\_\_  
Typed or printed name of person mailing correspondence

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